

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

COMBINED DECLARATION/POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NEEDLE-LESS INJECTION APPARATUS AND METHOD, the specification of which (check one):

_____ is attached hereto

XX was filed on December 8, 1999
as U.S. Application
Serial No. 09/456,456

_____ and was amended on (if
applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefit(s) under Title 35, United States Code §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)

Number	:
Country	:
Day/Month/Year Filed	:
Priority (yes/no)	:

Number :
Country :
Day/Month/Year Filed :
Priority (yes/no) :

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) as listed below:

Provisional Application No. :
Filing Date :

Provisional Application No. :
Filing Date :

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international applications designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 and that which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No. :
Filing Date :
Status (patented, pending, abandoned) :

Application Serial No. :
Filing Date :
Status (patented, pending, abandoned) :

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

David M. Crompton, Reg. No. 36,772;
Glenn M. Seager, Reg. No. 36,926;
Brian N. Tufte, Reg. No. 38,638;
Craig F. Taylor, Reg. No. 40,199;
Robert E. Atkinson, Reg. No. 36,433;
Michael A. Kondzella, Reg. No. 18,013;
Thomas L. McMasters, Reg. No. P-45,593;
Allen W. Groenke, Reg. No. 42,608;
Scott T. Bluni, Reg. No. 40,916;
Mark J. Casey, Reg. No. 37,796;
David L. Cavanaugh, Reg. No. 36,476;
Patricia Davis, Reg. No. 37,866;
Luke R. Dohmen, Reg. No. 36,783;

Peter J. Gafner, Reg. No. 36,517;
Todd P. Messal, Reg. No. 42,883;
Robert M. Rauker, Reg. No. 40,782; and
William J. Shaw, Reg. No. 43,111.

Send correspondence to:

David M. Crompton
CROMPTON, SEAGER & TUFTE, LLC
331 Second Avenue South, Suite 895
Minneapolis, Minnesota 55401-2246
(612) 677-9050

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon, I further declare that I understand the content of this declaration.

Full name of sole or first inventor: J. Paul Goll
Residence: 16613 162nd Avenue NW, Woodinville, Washington 98072 Citizenship: US
Post Office Address: 16613 162nd Avenue NW, Woodinville, Washington 98072

Inventor's Signature J. Paul Goll Date 1/6/00

Full name of second or joint inventor:
Residence:
Post Office Address:

Citizenship:

Inventor's Signature _____ Date _____

1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section.

The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

- (i) Opposing an argument of unpatentability relied on by the Office, or
- (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application:

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

To the Honorable Commissioner of Patents and Trademarks:
Please record the attached original document(s) or copy thereof.

1. Name of conveying party(ies):
J. Paul Goll

2. Name and address of receiving party(ies):

Name: SciMed Life Systems, Inc.

Internal Address: Mail Stop A150

Additional name(s) of conveying party(ies)
attached? ☐ Yes ☒ No

Street Address: One SciMed Place

3. Nature of conveyance:
☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

City: Maple Grove State: Minnesota ZIP: 55311-1566

Additional name(s) & addresses attached?
☐ Yes ☒ No

Execution Date: January 6, 2000

Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:
January 6, 2000

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

Name and address of party to whom correspondence
concerning document should be mailed:

Name: CROMPTON, SEAGER & TUFTE, LLC

Address: 331 Second Avenue South, Suite 895
Minneapolis, MN 55401

6. Total number of applications and patents
involved: 1

7. Total fee (37 CFR 3.41). . . \$40.00
☒ Enclosed
☐ Authorized to be charged to deposit
account

8. Deposit Account Number: 50-0413
(Attach duplicate copy of this page if
paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy
is a true copy of the original document.

David M. Crompton
Name of Person Signing

David M. Crompton
Signature

2/1/00
Date

Total number of pages comprising cover sheet, attachments and document: 3

ASSIGNMENT

WHEREAS, J. Paul Goll, residing at 16613 162nd Avenue NW, Woodinville, Washington 98072, has made certain new and useful inventions and improvements for which he has executed an application for Letters Patent of the United States, which is entitled NEEDLE-LESS INJECTION APPARATUS AND METHOD, as filed on December 8, 1999, as U.S. Serial No. 09/456,456;

AND WHEREAS, SciMed Life Systems, Inc., a corporation organized and existing under and by virtue of the laws of Minnesota, and having a business address of One SciMed Place, Maple Grove, MN 55311-1566, is desirous of acquiring the entire right, title and interest in and to said inventions, improvements, application, and Letters Patent to be obtained therefor;

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, I have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said SciMed Life Systems, Inc., its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and I do hereby authorize and request the Commissioner of Patents to issue any and all United States Letters Patent for the aforesaid inventions and improvements to said SciMed Life Systems, Inc., its successors and assigns.

AND, for the consideration aforesaid, I do hereby agree that my executors and legal representatives will make, execute and deliver any and all other instruments in writing including any other documents, and will communicate to said SciMed Life Systems, Inc., its successors and representatives all facts known to me relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable to more effectually secure to and vest in SciMed Life Systems, Inc., its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore, I, J. Paul Goll, covenant and agree with said SciMed Life Systems, Inc., its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me and that full right to convey the same as herein expressed is possessed by me.

The party hereto acknowledges that he has specifically requested the present agreement to be drawn up in the English language.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 6 day of January,
~~1999~~ 2000.
JPB

J. Paul Goll
J. Paul Goll

STATE OF WASHINGTON)
COUNTY OF KING) ss.

On this 6th day of JAN, ²⁰⁰⁰~~19~~, before me personally appeared J. Paul Goll, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

[Signature]
Notary Public

10006654-421001